

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 463 of 1996

Between:

- 1 Dantuluri Bramaramba, W/o. D.V.Suryanarayana Raju,
Srinagar Kothagudem.
- 2 D.Venkata Krishnam Raju, S/o. D.V.Suryanarayana Raju,
Srinagar Kothagudem.
- 3 D.Seetharamachandra Raju, S/o.D.V.S.Raju,
Sainagar Kothagudem, Khammam District.

..... PETITIONERS

AND

- Special Deputy Collector (T.W)
Paloncha, Khammam District.
- 2 Mandal Revenue Officer, Tekulapally Mandal,
Khammam District.
 - 3 K.Satya Prasada Rao,
Hemachandrapuram Village, Kothagudem Mandal,
Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the records in case NO.284/95/Tkp on the file of the 1st respondent herein and to issue an appropriate writ, order or direction directing the respondents to communicate the orders in case No.284/95 and not to disturb the possession of the petitioners from the lands in Sy.No.303/2 extent of Ac.25-00 Gangaram Village, Tekulapally Mandal, Khammam District.

Counsel for the Petitioner: MR.R.KAMESWAR RAO

Counsel for the Respondent No.1 & 2: GP FOR SOCIAL WELFARE

Counsel for the Respondent No.3:MR. K.RAMESH BABU

Thaze Court made the following:

ORDER:

This writ petition is filed seeking directions to respondents not to dispossess from the land in Sy.No.303/2 admeasuring Ac.25-00cents situated at Gangavaram Village, Tekulapally Mandal, Khammam District. Even before communication of the orders passed on the proceedings initiated under the provisions of A.P.Scheduled areas land Regulation 1 of 1959 as amended by Act 1 of 1970.

It is the case of the petitioner that they are the owners and possessors of the land in Sy.No. 303/2 admeasuring Ac.25-00cents situated at Gangavaram Village, Tekulapally Mandal, Khammam District. It is their case that the transfer made in their favour is not hit by the provisions of the Act 1 of 1959 and its further amendments. Four proceedings were initiated on the file of the first respondent-Special Deputy Collector, Tribal Welfare, Paloncha. The petitioner participated in the enquiry. But it is the plea of the petitioner that no final orders are communicated to them and even then steps have been taken to dispossess them pursuant to the proceedings initiated under the provisions of land transfer regulations.

In the counter-affidavit filed on behalf of the respondents, it is stated that ejection decree which is passed is transmitted to the Mandal Revenue Officer, Tekulapally Mandal for service on the petitioners.

If any adverse order is passed for eviction under regulation 1 of 1959 as amended by Regulation 1 of 1970, there is a remedy of appeal to the District Collector, who is an agent to the Government. If any adverse order and decree is passed against the petitioner for the land in question, they are entitled for a copy thereof. In that view of

the matter, I dispose of the writ petition directing the respondents 1 and 2 to supply a copy of the order and decree passed against the petitioners for eviction in land transfer regulation proceedings initiated against them. If the order copy along with the decree is served on the petitioners, no steps shall be taken to dispossess the petitioners from the land in question. On receipt of the orders, it is open for the petitioners to question the same by availing statutory remedies available under the law.

Subject to the above directions, the writ petition is disposed of. No order as to costs.

R.SUBHASH REDDY, J

30.12.2004

dr

To

- 1 Special Deputy Collector (T.W)
Paloncha, Khammam District.
- 2 Mandal Revenue Officer, Tekulapally Mandal,
Khammam District.
- 3 2CCs to Government Pleader for Social Welfare, High Court

Buildings, Hyderabad. (OU)

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